

UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

Patent Interference No. 105,492

COGNETIX, INC.
and Xenome Ltd.
(6,767,896),
Junior Party,

v.

XENOME LTD.
(10/918,096),
Senior Party.

Before: TORCZON, TIERNEY, and MOORE, *Administrative Patent Judges*.

TORCZON, *Administrative Patent Judge*.

JUDGMENT – Bd.R. 127(b)

ABANDONMENT OF CONTEST

- 1 Cognetix did not file a priority statement. Cognetix did not respond to
- 2 an order to show cause why judgment should not be entered against it.
- 3 Paper 40. Cognetix confirmed that it is no longer contesting the
- 4 interference. Xenome supports entry of judgment against the involved
- 5 patent. Paper 43. It is now appropriate to enter judgment.
- 6 Judgment is ENTERED AGAINST Cognetix for the subject matter of
- 7 Count 1, the sole count.

1 Claims 1-6, 11, 13-20, and 22 of the involved 6,767,896 patent shall
2 be CANCELLED.

3 A copy of this judgment shall be ENTERED in the records of the
4 involved application and patent.

5 The involved 10/918,096 application shall be promptly RETURNED
6 to the examining corps.

cc:

Robert A. Hodges and David E. Huizenga, Needle & Rosenberg, P.C., of
Atlanta, Georgia

Kenneth J. Meyers and Salvatore J. Arrigo, Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P., of Washington, D.C.

Desperтт, Sonja

From: Desperтт, Sonja on behalf of Interference Trial Section
Sent: Friday, August 17, 2007 11:59 AM
To: 'Hodges, Robert (NEEDLE & ROSENBERG)'; 'David Huizenga (NEEDLE & ROSENBERG)'; 'Meyers, Ken (FINNEGAN HENDERSON)'; 'Salvatore J. Arrigo'
Subject: Interference 105492 (RT) Paper No. 44 - Judgment-Bd.R. 127(b)-Abandonment of Contest
Attachments: 105492.044.pdf

8/17/07